

CITY COUNCIL MEETING  
CITY COUNCIL CHAMBERS 400 EAST MILITARY, FREMONT NEBRASKA  
March 27, 2018  
7:00 p.m.

After the Pledge of Allegiance and Study Session the Mayor called the meeting of the City Council to order and stated that a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas. Roll call showed Council Members Anderson, McClain, Legband, Landholm, Jacobus, Schaller, Kuhns and Bechtel present. 8 Council Members present.

Ordinance to consider a request of Dodd Engineering & Surveying, LLC, on behalf of Deer Pointe Corporation & Charles H. Diers, LLC, owners of approximately 3.0 acres described as a 3.0 acre parcel of land located in the NW ¼ NE ¼ of Section 18, Township 17 North, Range 9 East of the 6th P.M., Dodge County, Nebraska, more generally located at Elk Lane, Fremont, Nebraska, for approval of a Zoning Change from R Rural to GC General Commercial. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing. Council Member Landholm moved, seconded by Council Member Schaller to introduce the Ordinance. Ayes: Anderson, Bechtel, Jacobus, Kuhns, Landholm, Legband, McClain, Schaller. Nays: none. Motion carried. City Clerk provided first reading.

Ordinance to consider a request of Olsson Associates on behalf of Cosentino Holdings, LLC, owner of approximately 115.8 acres located at 4551 E. 23rd St. for approval of an Amendment to Exhibit A of Ordinance 5405 to Amend to the PD Planned Development for a combination of residential and commercial properties. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing. Council Member Jacobus moved, seconded by Council Member Legband to introduce the Ordinance. Ayes: Anderson, Bechtel, Jacobus, Kuhns, Landholm, Legband, McClain, Schaller. Nays: none. Motion carried. City Clerk provided first reading.

Ordinance to consider a request of Thomas L. Stamper and Teresa L. Stamper, owners of 2740 N. Yager, consisting of approximately 6.15 acres described as a tract of land located in Lot 1, D. Schroeder's subdivision located in the northwest quarter of the southwest quarter of section 12, township 17 north, range 8 east of the 6th P.M., Dodge County, Nebraska, changing the zoning from BP Business Park to GC General Commercial. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing. Council Member Kuhns moved, seconded by Council Member Legband to introduce the Ordinance. Ayes: Anderson, Bechtel, Jacobus, Kuhns, Landholm, Legband, McClain, Schaller. Nays: none. Motion carried. City Clerk provided first reading.

Ordinance to consider amendments to Chapter 11 of the Fremont Municipal Code pertaining to zoning and subdivision regulations, hereinafter referred to as the City's Unified Development Ordinance: (ii) Article 4, Section 44-405, Subsection 11-405.02, (iii) Article 11, Subsection 11-703.02. (iv) Article 11, Section 11-502, Subsection 11-502.01, (v) Article 11, Subsection 11-602.02, (vi) inserting page numbers, and trying to keep the page numbers. Council Member Schaller moved, seconded by Council Member Jacobus to amend the ordinance to amend Subsection 11-703.02 to reflect the correct Subsection 713.02. Ayes: Anderson, Bechtel, Jacobus, Kuhns, Landholm, Legband, McClain, Schaller. Nays: none. Motion carried. Council Member Jacobus moved, seconded by Council Member Kuhns to introduce the Ordinance as amended. Ayes: Anderson, Bechtel, Jacobus, Kuhns, Landholm, Legband, McClain, Schaller. Nays: none. Motion carried. City Clerk provided first reading.

Moved by Council Member Schaller seconded by Council Member Legband to approve items 8 through 24 of the consent agenda. Ayes: Anderson, Bechtel, Jacobus, Kuhns, Landholm, Legband, McClain, Schaller. Nays: none. Motion carried.



8. Move to approve March 14, 2018 through March 27, 2018 claims and authorize checks to be drawn on the proper accounts
9. Dispense with and approve February 27, 2018 minutes
10. Consider recommendation of the Mayor to re-appoint Marty Gifford to a term on Planning Commission ending April 2021
11. Consider recommendation of the Mayor to re-appoint Mitch Sawyer to a term on Planning Commission ending April 2021
12. Consider recommendation of the Mayor to re-appoint Carl Nielsen to a term on Planning Commission ending April 2021
13. Consider recommendation of the Mayor to re-appoint David Pinkall to the Civil Service Commission for a six year term ending April 2024
14. Consider Request for Use of Barnard Park for Egg Hunt & Family Activities
15. Resolution 2018-067 to consider approving the request of St. Patrick's Church to close streets as requested - Fourth Street & Union Street
16. Consideration of excavation/asphalt/concrete license application - Arthur Frewing
17. Resolution 2018-068 granting the Mayor authorization to execute a one-year contract with SirsiDynix for the purchase of the Blue Cloud Analytics module to replace Web Reporter
18. Resolution 2018-069 authorizing the Purchase a turbine control system for LDW U8 Steam Turbine located at the Lon D. Wright Power Plant
19. Resolution 2018-070 of the City Council of the City of Fremont, Nebraska, accepting and awarding contract of Engineering Design and Construction Administration of Nebraska Seeds Water and Sewer Extensions
20. Resolution 2018-071 accepting the change order to HDR, Inc. for engineering services for Upgrade of Substation B
21. Resolution 2018-072 authorizing the Mayor to sign an indirect sales agreement for ITRON meter reading software upgrades, installation and training
22. Resolution 2018-073 granting the Mayor authorization to amend the Computer and Internet Policy by editing items #1 and #7 to allow for equal access to the internet
23. Resolution 2018-074 amending the franchise agreement with Time Warner Midwest LLC. to correct the franchise fee from 3% to 5%
24. Receive Draft Master Fee Schedule

Ordinance to consider rezone of property generally located as part of the Northwest Quarter of Section 19, Township 17 North, Range 9 East of the 6th P.M., Dodge County, Nebraska from RR Rural Residential to GC General Commercial. Council Member Jacobus moved, seconded by Council Member Schaller to receive for the record an item titled "SunRidge 4.28-acre Commercial Rezoning Request". Ayes: Anderson, Bechtel, Jacobus, Kuhns, Landholm, Legband, McClain, Schaller. Nays: none. Motion carried. Council Member Landholm moved, seconded by Council Member Jacobus to receive for the record an item titled "Fremont Construction Employers Association". Ayes: Anderson, Bechtel, Jacobus, Kuhns, Landholm, Legband, McClain, Schaller. Nays: none. Motion carried. Council Member Jacobus moved, seconded by Council Member Schaller to receive for the record an item titled "Linking Arms Across America in the Fight Against Human Trafficking". Ayes: Anderson, Bechtel, Jacobus, Kuhns, Landholm, Legband, McClain, Schaller. Nays: none. Motion carried. Council Member Jacobus moved, seconded by Council Member Legband to receive for the record items titled "SunRidge Place – General Commercial Rezoning Request, UDC Section 11-200 TITLE, PURPOSE, AUTHORITY, JURISDICTION, AND TRANSITIONAL PROVISIONS, and petitions City Comprehensive Plan – Future Land Use Plan – Map 2.1 Fremont Nebraska; SunRidge Place Housing Development – Fremont Nebraska". Ayes: Anderson, Bechtel, Jacobus, Kuhns, Landholm, Legband, McClain, Schaller. Nays: none. Motion carried. Council Member Schaller moved, seconded by Council Member Anderson to receive for the record correspondence from the set me free project. Ayes: Anderson, Bechtel, Jacobus, Kuhns, Landholm, Legband, McClain, Schaller.



Nays: none. Motion carried. Council Member Kuhns moved, seconded by Council Member Schaller to hold final reading of the Ordinance. Ayes: Anderson, Kuhns, Landholm, Legband, Schaller. Nays: Bechtel, Jacobus, McClain. Motion carried. City Clerk provided final reading. Mayor Getzschman called for a final vote. Ayes: Anderson, Kuhns, Landholm, Legband, Schaller. Nays: Bechtel, Jacobus, McClain. Ordinance 5437 approved.

Ordinance annexing by voluntary petition approximately 1.54 acres described as part of the Southeast Quarter of the Southwest Quarter of Section 9, Township 17 North, Range 8 East of the Sixth P.M., Dodge County, Nebraska and more generally located at 2860 W. 23rd St. Council Member Landholm moved, seconded by Council Member Jacobus to hold final reading of the Ordinance. Ayes: Anderson, Bechtel, Jacobus, Kuhns, Landholm, Legband, McClain, Schaller. Nays: none. Motion carried. City Clerk provided final reading. Mayor Getzschman called for a final vote. Ayes: Anderson, Bechtel, Jacobus, Kuhns, Landholm, Legband, McClain, Schaller. Nays: none. Ordinance 5438 approved. Due to an issue with the voting equipment, Council Member Schaller was recorded as nay when his intention was aye. Without objection, the vote was corrected for the record. Council Member Kuhns experienced the same issue on item number five of the agenda. Without objection, the vote was corrected for the record.

Resolution to consider a request of Dodd Engineering & Surveying, LLC, on behalf of Deer Pointe Corporation & Charles H. Diers, LLC, owners of approximately 3.0 acres described as NW ¼ NE ¼ of Section 18, Township 17 North, Range 9 East of the 6th P.M., Dodge County, Nebraska, and more generally located at Elk Lane, Fremont, Nebraska, for approval of a Final Plat for property to hereinafter be known as Diers Sixth Addition. Council Member Kuhns moved, seconded by Council Member Jacobus to approve Resolution 2018-075. Ayes: Anderson, Bechtel, Jacobus, Kuhns, Landholm, Legband, McClain, Schaller. Nays: none. Motion carried.

Resolution to consider a request of Olsson & Associates, on behalf of Cosentino Holdings, LLC, Gallery 23, owners of approximately 117.93 acres located at 4551 East 23rd Street, Fremont, Dodge County, for approval of a Final Plat for property to hereinafter be known as Gallery 23 East Addition. Council Member Jacobus moved, seconded by Council Member Landholm to approve Resolution 2018-076. Ayes: Anderson, Bechtel, Jacobus, Kuhns, Landholm, Legband, McClain, Schaller. Nays: none. Motion carried.

Resolution to consider a request of Dodd Engineering, on behalf of Borisow Properties LLC, owners of approximately 11.06 acres described as Lots 1 and 2, Lincoln Park First Subdivision, Fremont, Dodge County, Nebraska, and more generally located at 2581 N. Lincoln Avenue, for approval of a Final Plat to be known as the Replat of Lot 2 into 8 separate Lots and take the corner out of Lot 1, and add to proposed Lot 4, for property to hereinafter be known as Lincoln Park Second Subdivision. Council Member McClain moved, seconded by Council Member Jacobus to approve Resolution 2018-077 as conditioned. Ayes: Anderson, Bechtel, Jacobus, Kuhns, Landholm, Legband, McClain, Schaller. Nays: none. Motion carried.

Resolution to consider a request of Danny Martinez, on behalf of YMCA, owners of approximately 133.7 acres described as part of the North ½ of Section 17, Township 17 North, Range 8 East of the 6th P.M., Dodge County, Nebraska for a Final Plat known to be as YMCA Camp Subdivision. Council Member Kuhns moved, seconded by Council Member Jacobus to approve Resolution 2018-078. Ayes: Anderson, Bechtel, Jacobus, Kuhns, Landholm, Legband, McClain, Schaller. Nays: none. Motion carried.

Resolution authorizing the Mayor to approve the request of funds from the Hotel Occupation Tax Fund to assist with purchasing new Christmas decorations to be displayed in downtown. Council Member Landholm moved, seconded by Council Member Legband to approve Resolution 2018-079. Ayes: Anderson, Bechtel, Jacobus, Kuhns, Landholm, Legband, McClain, Schaller. Nays: none. Motion carried.

Resolution appointing the law firm of McGrath, North, Mullin & Kratz, PC LLO as the City Attorney and approve a one-year legal services agreement. Council Member Kuhns moved, seconded by Council



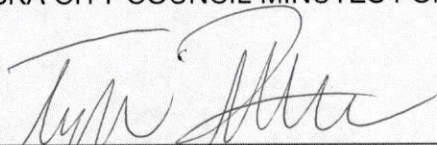
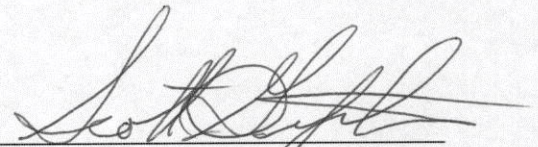
Member Schaller to approve Resolution 2018-080. Ayes: Anderson, Bechtel, Kuhns, Landholm, Legband, McClain, Schaller. Nays: Jacobus. Motion carried.

Resolution accepting and awarding the bid to GenPro Energy Solutions for Contract for Engineering, Procurement and Construction (EPC) of Solar Farm #2 in the amount of \$1,525,200 and authorize staff to issue a contract and purchase order for the purchase. Council Member Landholm moved, seconded by Council Member Legband to approve Resolution 2018-081. Ayes: Anderson, Bechtel, Jacobus, Kuhns, Landholm, Legband, McClain, Schaller. Nays: none. Motion carried.

Moved by Council Member Anderson seconded by Council Member Schaller to adjourn the meeting. Ayes: McClain, Legband, Landholm, Jacobus, Schaller, Kuhns, Bechtel. Motion carried. Meeting adjourned at 9:48 p.m.

I, Tyler Ficken, the undersigned City Clerk, hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Mayor and Council; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the Clerk; that such agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; that such subjects were contained in said agenda at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by the members of the public; that the said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that this meeting was preceded by publicized notice in the Fremont Tribune and the agenda, including notice of study session, were displayed in the Municipal Building and distributed to the Mayor and Council on March 23, 2018 and is open to the public; that all news media requesting notification concerning meeting and the subjects to be discussed at said meeting and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

APPROVED AND ACCEPTED THIS 10TH DAY OF APRIL AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA CITY COUNCIL MINUTES FOR MARCH 27, 2018.

  
Tyler Ficken, City Clerk  
Scott Getzschman, Mayor